

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RAJ K. PATEL,

Plaintiff,

-against-

NEAL K. PATEL, ET AL.,

Defendants.

23-CV-8765 (LTS)

ORDER DIRECTING PAYMENT OF FEE  
OR AMENDED IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted an IFP application but his responses do not establish that he is unable to pay the filing fees. Plaintiff states that he is unemployed, that he has not worked since August of 2022, and that he earned \$800 per month when he was employed. Plaintiff further states that his monthly expenses are “\$120 cell phone; \$850 loan repayment; \$3000 monthly expenses,” and that he has debt of “over \$40,000.” (ECF 2.) Yet Plaintiff responded with “No” or “N/A” to every question about assets or sources of income. Because Plaintiff does not fully answer the questions on the IFP application and fails to provide information on how he pays for his living expenses, the Court is unable to conclude that he does not have sufficient funds to pay the relevant fees for this action.

Within thirty days of the date of this order, Plaintiff must either pay the \$402.00 in fees or fully complete, sign, and submit the attached amended IFP application. If Plaintiff submits the amended IFP application, it should be labeled with docket number 23-CV-8765. If the Court

grants the amended IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

No answer shall be required at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated:

New York, New York

/s/ Laura Taylor Swain

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LAURA TAYLOR SWAIN  
Chief United States District Judge